



**CITY OF FITCHBURG MASSACHUSETTS
CITY COUNCIL CALENDAR**

September 6, 2016 7:00PM

**Memorial Middle School Library
615 Rollstone Street
Fitchburg MA 01420**

16 SEP - 1 11 42
FITCHBURG CITY CLERK

WELCOME TO THE FITCHBURG CITY COUNCIL!

This is intended to help you understand the meeting format and assist you with the rules of the Council as they pertain to your participation.

All meetings of the Fitchburg City council are open to the public. This does not mean that the public participates in all aspects of the meeting. It simply means that the meeting itself, including all discussions and votes, is open for public view.

Executive Session

The only time a Council meeting can be closed to the public is when the Council votes for Executive Session in order to discuss sensitive matters in private, such as pending litigation. Any votes taken however, must be taken in open session.

OPPORTUNITIES FOR THE PUBLIC TO SPEAK DURING A COUNCIL MEETING:

Public Forum

The Public Forum occurs immediately following the Pledge of Allegiance. The President will ask if anyone in the audience wishes to speak on any matter appearing on the Agenda. If you wish to address the Council, you must stand and be recognized and follow these rules before speaking:

1. State your name and address.
2. Approach the center table and either stand or sit. This allows you to be seen and heard clearly by everyone in attendance.
3. You may speak only on items appearing on the agenda for no more than (2) minutes. Copies of the agenda are available on the center table prior to the meeting.
4. Please state the petition, order, ordinance, or resolution number to which you refer.

Public Hearings

Public hearings are held on various issues such as Special Permits and Zoning changes. The same rules apply with the following exceptions:

1. You must stand and be recognized either "in favor" or "in opposition" when asked by the Council President.
2. You need not refer to the petition number.

If you have any questions or comments either before or after the meeting, any Councillor would be happy to assist you.

Thank you for your interest!

I. PUBLIC FORUM

II. REPORT OF COMMITTEE ON RECORDS

III. COMMUNICATIONS FROM HIS HONOR THE MAYOR

IV. COMMUNICATIONS AND REPORTS FROM
HEADS OF DEPARTMENTS

1. Calvin D. Brooks, City Treasurer
Re: 12 Foster Street
2. Mary A. Delaney, Chief Procurement Officer
Re: A parcel of land on Main Street identified in the City Assessor's records as Map 56, Block 28, Lot A.

IV. COMMUNICATIONS: OTHER

1. Andrew Cordio, Chair, Fitchburg Commission on Energy and Environment
Re: Green Communities
2. Mullaney & Lund
Re: Notice of intent to sell and convert use of classified forest land.
3. Pension Reserves Investment Management Board

V. SPECIAL PRESENTATION

RE: Green Communities Program
Michael Berry and Kelly Brown
Massachusetts Department of Energy and Resources

VI. REPORTS OF COMMITTEES

Appointments Committee - Oral Report
Meeting of September 6, 2016

Student Police Officers
Mr. Demetrice D. Phillips
Mr. Nathan D. Lamkin

Economic Development Committee-Oral Report
Meeting of August 9, 2016

Presentation by Fitchburg Economic Development Director (Mary Jo Bohart) regarding available business incentives, tools and programs for economic growth.
(Presentations and other matters that might impact the economic well-being to the City of Fitchburg)

Legislative Affairs Committee-Oral Report
Meeting of September 6, 2016

- 206-16. Councillors Bean, Beauchemin, Green, Bisol and Clark, to restore the option to allow the City Council members to participate in health care benefits.
- 207-16. Barbara Nealon, Chairperson, Human Rights Commission, to increase the Human Rights Commission membership from five members and one associate member to nine members and two associate member.

VII. ORDERS-FINANCE

- 210-16. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Executive Office of Public Safety and Security, for the FY17-State 911 Department Support and Incentive Grant in the approximate of \$115,227, for the purposes of said grant.
- 211-16. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Federal Department of Justice, Office of the Justice Programs, for the FY17 Local JAG Award-LLEBG 20, in the approximate amount of \$28,415, for the purposes of said grant.

VIII. PETITIONS

- 212-16. Councilor Marcus DiNatale, to petition for a resolution of the Fitchburg City Council to the Fitchburg Board of Health, that the city council expresses its continued support of City Code Chapter 164 Section 4 and existing state law, that anyone under the age of 18 be restricted from being sold tobacco products. An age restriction of 21 or older will only result in decreased sales at our local establishments thereby hurting the local economy while incentivizing local consumers to migrate outside the city for these products that have no such restriction. Furthermore, be it resolved that the city council supports no restrictions on where flavored tobacco products can be sold in the city. (Board of Health)
- 213-16. Michelle St. Cyr and various City residents, petition to not re-zone the properties located on Westminster Hill Road, which are currently rural residential to commercial recreation overlay district. (Legislative Affairs Committee)

- 214-16. Mobilitie, LLC, to install backhaul transport equipment on a proposed utility pole in the right of way located north of the intersection of John Fitch Highway & Summer Street as outlined in the enclosed petition.
(Public Hearing September 20, 2016)
- 215-16. Mobilitie, LLC, to install backhaul transport equipment on a proposed utility pole in the right of way located south of the intersection of Whalon Street & Pierce Avenue as outlined in the enclosed petition.
(Public Hearing September 20, 2016)
- 216-16. Calvin D. Brooks, City Treasurer, to declare as excess and designate the following properties to the Side Yard Sales Program:
- | | |
|------------------------|-----------------|
| 1. 768 Water Street | Parcel 122-9-0 |
| 2. 65 Minneapolis Ave. | Parcel 202-61-0 |
| 3. 0 Garnet Street | Parcel 31-34-2 |
- (City Property Committee)
- 217-16. Lenny Laakso, DPW Commissioner, to accept a grant of easement to acquire a flood mitigation easement by purchase, gift, or taking by eminent domain, from Oak Hill Country Club of 840 Oak Hill Road, Fitchburg, MA 01420 as shown on the attached plan of easement, said easement being necessary to mitigate flooding issues in the Shea Street neighborhood.
(City Property Committee)
- 218-16. Scott Ellis, Airport Manager, to authorize his Honor Mayor Stephen L. DiNatale, to execute a utility easement for 567 Crawford Street, Fitchburg, MA. For reason says, Verizon requires an easement prior to placing utility services on the Fitchburg Municipal Airport property located at 567 Crawford St.
(City Property Committee)
- 219-16. Vincent P. Pusateri, II, Esquire, to enact Chapter 72 Article III Section 6-9 of the City of Fitchburg Ordinance, entitled "Stretch Energy Code" as outlined in the enclosed Petition.
(Legislative Affairs Committee)
- 220-16. Fitchburg Planning Board, to amend the Fitchburg Zoning Ordinance by revising the following definitions in Section 181.10, Definitions, by inserting the phrase in italics below: (re: Light Manufacturing, Manufacturing, Research and Testing as outlined in the petition.)
(Planning Board and Public Hearing November 1, 2016)

- 221-16. Fitchburg Planning Board, to amend the Fitchburg Zoning Map by changing the Industrial Zoning District (1) to the Central Business District (CDB) the following parcels on the Westerly side of Bemis Road at Duck Mill Road. (As listed in the petition.) (Planning Board and Public Hearing November 1, 2016)
- 222-16. Pavlos Amanatidis, Auto Sales & Imports, LLC, to petition for a Class II Dealer's License at 1033 Main Street, Fitchburg. (Public Safety Committee)
- 223-16. Councillor Angelo Bisol, to install three 1 hour parking spaces at the corner of Day Street and Main Street. (Public Safety Committee)
- 224-16. Councillor Angelo Bisol, to repair a berm at the corner of 339 Pearl Street and John Fitch Highway. (Public Works Committee)

Next Regular Meeting
7:00PM, Tuesday, September 20, 2016